

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH BREYER and  
ELAINE BREYER,

Defendants.

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8:23CR79

ORDER

This matter is before the court on the defendant, Elaine Breyer's unopposed Motion to Continue Trial [59]. Counsel remain in plea negotiations and are attempting to resolve the matter without the necessity of a trial. The government and counsel for co-defendant Kenneth Breyer have indicated to the Court they do not object to the continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [59] is granted, as follows:

1. The jury trial, **for both defendants**, now set for February 12, 2024, is continued to **April 22, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 22, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: February 2, 2024.**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**